



WIN AS MUCH AS YOU CAN

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I use: An interactive conflict resolution game in my alternative dispute resolution classes called the "Win as Much as You Can Game."

The purpose is: to engage students physically and allow them to learn using facilities and senses not normally engaged in traditional law teaching formats.

My rationale: is based on previous successful experience using this game. The game is an adaptation of the Organizational Dilemma or Win as Much as You Can.

My strategy: involves dividing the class into teams of 4 where each team represents one of two friends guilty of committing a crime. They are arrested and placed in adjoining prison cells. They are given two choices - confess or keep silent. Each team must separately decide whether to say nothing or spill the beans, trying to guess what the other side will do.

Win as Much as You Can Game

Now I would like you all to play a game. The game is called the "Win as much as you can" Game. It is based on a classic game theory problem known as the Prisoners' Dilemma.

The reason for the game being described as a 'prisoners dilemma' is because it is based on a hypothetical situation where two friends guilty of committing a crime are arrested and placed in adjoining prison cells. They are told that they have two choices – confess or keep silent.

These choices present each prisoner with four alternative scenarios:

1. If s/he confesses, s/he will go free and get a reward for turning on the other. The other prisoner will take the 'rap' and go to prison.
2. If s/he stays silent, and the other prisoner confesses, s/he will go to prison and the other prisoner will get the reward (and freedom).
3. If both confess, they both go to prison but perhaps with lighter sentences.
4. If both stay silent, both go free because the police cannot make the case without witnesses.

Each must separately decide whether to say nothing or spill the beans, trying to guess what the other side will do. *Explain game using the instruction sheet (at p. 4).* The greatest possible group score is 48 which would be 12 per player. *Gather scores, discuss student impressions, and debrief.*

Debriefing Questions:

- ◆ What card did you play first? By accident or by design? Why?
- ◆ What does this game tell you about your own negotiating behaviour? About others'?
- ◆ What are the strengths and weaknesses of this approach?
- ◆ What were your objectives? Highest possible individual gain? Safe minimal gain? Collective gain?
- ◆ What, if any strategy did you adopt for achieving this objective?
- ◆ Describe how the dynamic evolved in your group (e.g. patterns set very early in negotiation).
- ◆ Did the strategies become self-fulfilling? (i.e. the other side played y once you started to play y?). Moves and countermoves always exist.
- ◆ How, if at all, did you respond to the strategies used by other members of your group?
- ◆ Were there any difficulties with the agreements? What was difficult? Remember communication here over a very simple matter (playing an A or a C card). How much harder is the communication in real life?
- ◆ Any other comments about how this game reveals the dynamics of negotiating? Not just numbers – relationships/trust matter as well.
- ◆ What is critical to maximizing joint gains?
- ◆ Why maximize joint gains? What difference do long-term and short-term objectives make to a negotiating career?
- ◆ How should we evaluate which approach – competitive or collaborative – is best for our future negotiations?
- ◆ We need to have criteria by which to measure what we think is best. Some criteria to consider: costs (is it cheaper to collaborate?), satisfaction (how was my control over the process?), effect on relationship (can we continue to work together?), and recurrence (did we produce a durable settlement using this strategy?).
- ◆ Who does 'you' refer to? What does 'win as much as you can' mean?

The strategy that has least risk is which strategy? Playing which card?

Playing the A card will result in either (i) a high positive gain or (ii) a small negative loss. Game is biased to encourage the playing of the A card. However there are other, cumulative consequences to playing an A card.

The riskiest strategy and also the one that ensures a small positive for everyone is to play the C card. It is the riskiest strategy however because it can result in the highest negative score.

What must be stressed is that there is more than one approach to negotiation. Conflicts are multidimensional – and can be handled in more than one way.

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A Game for Four Players

Each player has a card marked with an 'A' on one side and a 'C' on the other. As each round of the game is played, all four players must display one or the other side of their cards at a signal given by the professor.

Scoring is as follows:

4 Cs.....each player loses \$1

3 Cs.....each player wins \$1

1 A.....that player loses \$3

2 Cs.....each player wins \$2

2 As.....each player loses \$2

1 C.....that player wins \$3

3 As.....each player loses \$1

4 As.....each player wins \$1

There will be 8 rounds in the game. During the first three rounds, the players may not speak at all. Each group of four players may only speak with each other regarding strategy after round 3, round 5, and round 7. Before all other rounds there should be **no** communication between players.

Rounds 4 and 6 are double scored and round 8 (the final round) is triple scored. After the eighth and final round, the scores will be added up individually and as a group.

After the game has been played we will consider what it reveals about negotiating behaviour and dynamics.